

CITY OF SHORELINE

**SHORELINE CITY COUNCIL
SUMMARY MINUTES OF BUSINESS MEETING**

Monday, March 26, 2012
7:00 p.m.

Council Chambers - Shoreline City Hall
17500 Midvale Avenue North

PRESENT: Mayor McGlashan, Deputy Mayor Eggen, Councilmember Hall, Councilmember McConnell, Councilmember Winstead, Councilmember Salomon, and Councilmember Roberts

ABSENT: None

1. CALL TO ORDER

At 7:00 p.m., the meeting was called to order by Mayor McGlashan, who presided.

2. FLAG SALUTE/ROLL CALL

Mayor McGlashan led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present.

(a) Proclamation of Cesar Chavez Day

Councilmember Roberts read the proclamation declaring March 26, 2012 as Cesar Chavez Day in the City of Shoreline. Orlando Cano, Shoreline resident, accepted the proclamation and thanked the City for this recognition.

3. REPORT OF THE CITY MANAGER

Julie Underwood, City Manager, provided reports and updates on various City meetings, projects, and events.

4. COUNCIL REPORTS

Councilmember Winstead provided an update on human development meeting at the National League of Cities (NLC) Conference. Deputy Mayor Eggen reported on two Suburban Cities Association (SCA) meetings.

5. PUBLIC COMMENT

a) Dennis Aker, Shoreline, discussed Storm Creek erosion and asked why the City is dumping water on private property.

b) Tony Dondero, Mountlake Terrace, said he is the editor of the Shoreline/Lake Forest Patch and encouraged people to advertise on Patch.

c) Sue Aker, Shoreline, discussed private property issues related to Storm Creek and asked for clarification about what the City will allow residents to do.

6. APPROVAL OF THE AGENDA

Upon motion by Councilmember McConnell, seconded by Councilmember Hall and unanimously carried, the agenda was approved.

7. CONSENT CALENDAR

Upon motion by Councilmember Hall, seconded by Councilmember Roberts and unanimously carried, the following Consent Calendar items were approved:

- (a) **Minutes of Special Meeting of February 6, 2012**
- Minutes of Special Meeting of February 9, 2012**
- Minutes of Special Meeting of February 11, 2012**
- Minutes of Workshop Dinner Meeting of February 13, 2012**
- Minutes of Business Meeting of February 13, 2012**
- Minutes of Special Meeting of February 21, 2012**
- Minutes of Workshop Dinner Meeting of February 27, 2012**

(b) **Approval of expenses and payroll as of March 16, 2012 in the amount of \$2,698,308.23 as specified in the following detail:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
2/5/12-2/18/12	2/24/2012	43966-44154	11497-11529	49568-49575	\$537,095.69
					<u>\$537,095.69</u>
		Expense Register Dated	Wire Transfer Number		Amount Paid
		2/17/2012	1045		\$330.00
		2/28/2012	1046		\$4,984.69
					<u>\$5,314.69</u>
		Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
		2/21/2012	49449	49449	\$1,416.45
		2/22/2012	49450	49451	\$38,809.38
		2/23/2012	49452	45480	\$128,332.26
		2/23/2012	49481	49488	\$70,850.06

2/23/2012	49489	49500	\$58,480.65
2/23/2012	49501	49502	\$1,189.83
2/23/2012	49503	49503	\$79,827.12
3/1/2012	49504	49509	\$15,865.88
3/1/2012	49510	49512	\$7,411.64
3/1/2012	47409	47409	(\$250.00)
3/1/2012	49513	49513	\$250.00
3/1/2012	49514	49518	\$50,651.70
3/1/2012	49519	49530	\$29,903.49
3/1/2012	49531	49548	\$10,024.51
3/1/2012	49549	49567	\$817,798.84
3/7/2012	49576	49578	\$875.29
3/7/2012	49579	49580	\$12,113.24
3/8/2012	49581	49596	\$293,893.79
3/8/2012	49597	49602	\$15,311.31
3/8/2012	49603	49629	\$36,991.95
3/8/2012	49630	49639	\$905.34
3/12/2012	49640	49641	\$218.88
3/15/2012	49642	49643	\$82,767.68
3/15/2012	49644	49651	\$11,180.82
3/15/2012	49652	49665	\$325,947.07
3/15/2012	49666	49689	\$65,130.67
			<u>\$2,155,897.85</u>

(c) **Authorizing the City Manager to Execute a Property Tax Exemption Contract with North City Family Apartments**

(d) **Authorizing City Manager to Execute a Memorandum of Understanding with King County for Aerial Mapping Services**

(e) **Adoption of Resolution No. 324 amending the Employee Handbook policies regarding 1) layoffs and 2) requests for reclassification**

(f) **Authorizing the City Manager to Execute an Agreement for the Design of North Fork Thornton Creek LID Project**

8. ACTION ITEMS

(a) **Authorizing the City Manager to Execute a Purchase/Sale Agreement for Acquisition of Right-of-Way at 19804 and 19806 Aurora Avenue N for the Aurora Corridor Improvement Project (N 192nd to N 205th Streets)**

Kris Overleese, Aurora Project Manager, and Kirk McKinley, Transportation Manager, provided a brief staff report. Ms. Overleese noted that the purchase price is \$1,476,400.00.

Councilmember Winstead moved to authorize the City Manager to execute a purchase/sale agreement for acquisition of right-of-way at 19804 and 19806 Aurora Avenue N for the

Aurora Corridor Improvement Project (N 192nd to N 205th Streets), seconded by Councilmember McConnell. Motion carried 7-0.

(b) Adoption of Ordinance 631 Amending the Development Code Regarding Accessory Dwelling Units and Administrative Changes

Steve Szafran, Associate Planner, and Rachael Markle, Planning and Community Development Director (PCD), provided the staff report. Mr. Szafran explained the intent of the accessory dwelling unit (ADU) regulations.

Councilmember Hall moved to adopt the alternate version of Ordinance Number 631 amending the Development Code regarding accessory dwelling units and administrative changes. Councilmember Roberts seconded the motion.

Councilmember Hall spoke to the ordinance and said there aren't any policies to protect existing neighborhoods until the Comprehensive Plan (CP) is finished. He felt the Council should think through the housing strategies and he would rather not change the Code to make ADUs easier to allow. Councilmember Roberts noted that ADUs have an important role in the City in terms of housing choice, but felt the whole Code needs to be considered through the CP update. Councilmember Salomon spoke against motion, noting that it does not appear to damage single family communities, but it would serve as an income opportunity for seniors. Councilmember Winstead was inclined to support the alternative ordinance because she wants to take time to figure out what best fits the City, adding that she is concerned about the effect this will have on the people who have an ADU. Councilmember McConnell spoke in favor of the motion, noting her concern about ADUs and wanting to protect single family homes. Deputy Mayor Eggen stated that the original amendment was to allow people to do an upstairs-downstairs ADU, but there were only nine permits this past year, so the current limit seems to have a small impact on the number of ADU units that exist. Mayor McGlashan said he is more supportive of the original language because it provides clarity about the regulations. Councilmember Hall added that he is concerned that the original ordinance is based on a fundamental policy statement that the Council doesn't want to allow people to convert single family homes into duplexes.

There was discussion about homes that are remodeled as ADUs. Rachael Markle, Planning and Community Development Services Director, reviewed the specific regulations. The Council discussed whether the original recommendation would make some neighborhoods less family-friendly because ADUs are generally a less-desirable option for families with children. The Council then discussed issues related to off-street parking, impervious surface, ADUs as investment income, impacts to single family neighborhoods, surface water requirements, and structural changes to existing houses.

A vote was taken on the motion to adopt the alternate version of Ordinance Number 631 amending the Development Code regarding accessory dwelling units and administrative changes, which failed 2-5, with Councilmembers Hall and Roberts voting in the affirmative.

Councilmember Winstead moved to adopt Ordinance No. 631 amending the Development Code regarding accessory dwelling units and administrative changes. Councilmember Salomon seconded the motion.

Councilmember Winstead read the language and noted it is recommended by the City staff. Councilmember Roberts confirmed with Ian Sievers, City Attorney, that there is no legal difference between a principle and primary residence. Mr. Szafran noted that the Code doesn't specify whether the ADU owner needs to live in the primary or the secondary residence.

Deputy Mayor Eggen stated that this is a very narrow change concerning where an internal ADU is allowed and this will be on the Planning Commission's agenda in the future. Councilmember Hall opposed the motion and stated that the purpose is to make it easier to convert single family homes to ADUs. Councilmember McConnell expressed concern about design review and would like to have it considered in the future. Councilmember Salomon felt this will create a few more housing choices in Shoreline.

A vote was taken on the motion to adopt Ordinance No. 631 amending the Development Code regarding accessory dwelling units and administrative changes, which carried 6-1, with Councilmember Hall dissenting.

(c) Approval of Library Board Appointments

Mayor McGlashan introduced this item and provided a brief report on behalf of the Council subcommittee. He communicated the names that were recommended.

Councilmember Roberts moved to appoint the following to the Library Board: Sara Lorimer, Mark A. Hulak, Lisa Oberg, and Karen Thielke to four-year terms, and Eileen Wood-Lim to the unexpired two-year term. Councilmember Salomon seconded the motion, which carried 7-0.

(d) Adoption of Ordinance No. 630 - Tobacco Free Park Regulations

John Norris, Management Analyst, and Dick Deal, PRCS Director, provided a brief staff report and urged adoption of Ordinance No. 630 as recommended by City staff. Mr. Deal mentioned a California study on cigarette butts and explained the rationale for a total ban on tobacco in parks.

Councilmember Winstead moved to adopt Ordinance No. 630, adopting Tobacco Free Park Regulations. Councilmember Hall seconded the motion.

Councilmember Winstead commented that the Council is charged with taking care of City property and citizens and this survey has pretty clear results. Councilmember Hall concurred. Councilmember Roberts discussed with staff the newer forms of smokeless tobacco. Councilmember McConnell noted that she now she supports it. Councilmember Salomon concurred. Deputy Mayor Eggen said he still has concerns that a lot of this is motivated by a general dislike of smoking. However, he objects to smoking in places where it can injure

someone else's health. Mayor McGlashan concurred with all prior comments and pointed out that the ordinance does not include the Interurban Trail.

A vote taken on motion to adopt Ordinance No. 630, Tobacco Free Park Regulations, which carried 7-0.

RECESS

At 8:53 p.m., Mayor McGlashan called for a seven minute break. The meeting reconvened at 9:00 p.m.

9. UNFINISHED BUSINESS

(a) Storm Creek Basin Plan Update

Jesus Sanchez, Public Works Operations Manager, Brian Landau, Surface Water Manager, and Erin Nelson, consultant from Windward Environmental discussed the Storm Creek Basin Plan. Mr. Sanchez noted that a part of the work in the basin plan was to identify problems and programmatic actions to take care of the problems. Corrective actions include capital projects, repair-replacement of the infrastructure, and education, he said.

Mr. Landau communicated the City's relationship with Windward Environmental.

Ms. Nelson presented the modeling results. She noted that her firm looked at the basin plan elements, historical issues, conducted a hydrologic analysis, an infrastructure condition assessment, a water quality assessment, and an erosion assessment. She noted that the Storm Creek flows are two to sixty times greater now than if it wasn't developed. She stated that the flows can be reduced by retrofitting the basin to meet stormwater flow standards. She discussed the options of infiltration or detention. She added that the rate of erosion has increased over time and she reviewed a timeline of events relevant to Storm Creek. Ms. Nelson added that her preliminary recommendation is to begin monitoring erosion to assess the risk to public infrastructure and described future capital projects to reduce flows.

Councilmember Hall asked Mr. Sanchez how much benefit it would be to retrofit large private property up to current surface water code such as the QFC grocery store. Mr. Sanchez replied that those types of opportunities are exactly what the City would be looking for. He stated that the detention and infiltration upstream will decrease the flows into Storm and Heron Creek,

Councilmember Salomon wondered if it makes more sense to put money into the water east of the City that will ultimately flow into smaller bodies of fresh water like Lake Washington. Mr. Sanchez replied that basins are unique and their natural receiving waters are considered. He said considering opportunities for right-of-way and open space enhancements for better detention and retention is the best approach.

Councilmember Roberts noted that there aren't many large or multi-family properties within Storm Creek Basin. He inquired about how much time the City has before structures are

impacted. Mr. Sanchez replied that it could take years depending on the storms, water flows, and other factors.

Councilmember McConnell discussed the 500 to 700 feet of pipe needing immediate attention and Ms. Nelson identified where the pipes were, primarily located on 12th Avenue NW and 3rd Avenue NW.

Mr. Sievers responded to the question of responsibility and said he takes exception to the phrase "the City's water." He urged the Council not to be confused by threats of legal responsibility to do something. He said it is really a political process and how much revenue the City intends to impose on its residents to solve problems based on the priorities set through revenue and rate-setting. He added that the City is only liable if water is directly diverted by the City into an area where a problem starts.

Deputy Mayor Eggen inquired if the detention at Syre would be a swale, natural, or have pipes underneath. Ms. Nelson replied that there are a number of options depending on the site specific conditions and where the pipes are located. Deputy Mayor Eggen discussed the Meadowbrook apartments flooding and Mr. Sanchez noted that there was a capacity issue and the smaller pipe was rerouted and capacity was increased. Mr. Landau communicated that the amount of mitigation for this isn't known yet, it could be based on fish habitat, fixing a wetland, and so forth. Deputy Mayor Eggen asked for an estimate of when the private infrastructure might fail around the mouth of Storm Creek and Mr. Sanchez replied there wasn't one. Councilmember Salomon noted that he can't support putting this stream in a pipe, even with mitigation.

Mr. Sanchez outlines the next steps, which include having a public meeting on April 11 and releasing a Draft Storm Creek Basin Report by the end of April.

10. NEW BUSINESS

- (a) Discussion of Surface Water Residential Tier Rates & School District Fee Credit Options

Ms. Underwood stated that the City staff is looking for direction about whether the Council wants to pursue a tiered residential surface water utility rate structure and a continuing credit for the school district.

Brian Landau, Storm Water Manager noted that two-thirds of the City's surface water revenue comes from single family residential. He highlighted the expenditures, residential rate alternatives and stated that the proposal is for four (4) rate classes based on parcel size distribution. He reviewed the advantages and disadvantages of tiered residential rates, the costs of monitoring, and highlighted how much administrative staff time would be needed to incorporate this structure.

MEETING EXTENSION

At 10:00 p.m., upon motion by Deputy Mayor Eggen, seconded by Councilmember McConnell and carried 7-0, the meeting was extended until 10:10 p.m.

Councilmember Roberts noted that there is a discrepancy on page 126 concerning the percentage of residents that may be affected. Mr. Landau communicated that it was an error. He discussed the correct information and the City's consultant explained the rationale.

Deputy Mayor Eggen moved to extend the meeting until 10:30 p.m., seconded by Councilmember Salomon. The motion failed 1-6, with Deputy Mayor Eggen voting in the affirmative.

11. ADJOURNMENT

At 10:12 p.m., Mayor McGlashan declared the meeting adjourned.

Scott Passey, City Clerk